

HOUSE BILL NO. 40

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE JOSEPHSON

Introduced: 1/18/17

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting and providing penalties and civil remedies for trapping within 200**
2 **feet of certain public facilities, areas, and trails; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 16.05 is amended by adding a new section to read:

5 **Sec. 16.05.781. Trapping near certain public use areas.** (a) A person may
6 not set a trap or snare for animals within 200 feet of a

7 (1) campsite, recreational beach, roadside rest, scenic site, or other
8 public facility or area established under AS 41.21; or

9 (2) public trail.

10 (b) A person who violates this section is guilty of a class B misdemeanor and
11 shall be punished by a fine of not more than

12 (1) \$500, by imprisonment for not more than 30 days, or by both,
13 unless the circumstance described under (2) of this subsection applies; or

14 (2) \$1,000, by imprisonment for not more than 60 days, or by both, if

1 the violation caused physical harm to an individual or domestic animal.

2 (c) In an action under (b) of this section, it is not a defense that another person
3 was violating a local ordinance relating to the restraint or control of a domestic animal.

4 (d) A person aggrieved by conduct or threatened conduct in violation of this
5 section may petition a superior court to enjoin the respondent from engaging in the
6 conduct. A person who violates this section is liable for general damages and special
7 damages resulting from that violation.

8 (e) In this section, "public trail" means a trail or footpath designated under
9 AS 41.21.850 - 41.21.872 or other trail, footpath, or way that is open to public use as a
10 matter of right.

11 * **Sec. 2.** This Act takes effect January 1, 2018.